



June 8, 1999

Mr. Rodney Gilstrap
State Committee Chairman
The Supreme Court of Texas
P.O. Drawer A
Marshall, Texas 75671

Mr. Christopher R. Scott
Corporate Counsel
State Bar of Texas
P.O. Box 12487
Austin, Texas 78711-2487

OR99-1592

Dear Mr. Gilstrap and Mr. Scott:

You ask whether certain information is subject to required public disclosure under the Texas Public Information Act chapter 552 of the Government Code. Your request was assigned ID# 125084.

The Chairman of the Unauthorized Practice of Law Committee (the "UPL Committee") received a request for the following information

Any and all records detailing communications between the chairman of the Dallas Unauthorized Practice of Law Subcommittee and the Chair of the Unauthorized Practice of Law Committee during calendar years 1997, 1998 and 1999 concerning current and potential legal actions against publishers of what is commonly referred to as self-help legal books and software.

You contend that the UPL Committee is not subject to the Public Information Act because the UPL Committee is not a "governmental body" as defined by section 552.003 of the Government Code. Alternatively, you claim that the requested information is excepted from

disclosure pursuant to sections 552.101, 552.103(a), 552.107(2), and 552.111 of the Government Code.

The Texas Supreme Court recently ruled that the UPL Committee is a "judicial agency" as defined by Rule 12.2(b) of the Texas Rules of Judicial Administration, and that all records of the UPL Committee are "judicial records" as defined by Rule 12.2(d). Order Vacating September 16, 1986 Order Concerning the Confidentiality of Records of the Unauthorized Practice of Law Committee, Misc. Docket No. 99-9082 (Tex. April 15, 1999) (referenced in *In re Nolo Press/Folk Law, Inc.*, No. 98-0724 (Tex. April 15, 1999) (orig. proceeding)). Therefore, the requested information is subject to Rule 12 of the Texas Rules of Judicial Administration, not the Public Information Act.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,



Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/ch

Ref: ID# 125084

Encl. Submitted documents

cc: Mr. John Council, Reporter
Texas Lawyer
900 Jackson Street, Suite 500
Dallas, Texas 75202-4432
(w/o enclosures)